

1 QUINN EMANUEL URQUHART & SULLIVAN, LLP
2 Alex Spiro (appearance *pro hac vice*)
3 alexspiro@quinnemanuel.com
4 51 Madison Ave., 22nd Floor
5 New York, NY 10010
6 Telephone: (212) 849-7000

5 QUINN EMANUEL URQUHART & SULLIVAN, LLP
6 Daniel C. Posner (CA Bar No. 232009)
7 danposner@quinnemanuel.com
8 Mari F. Henderson (CA Bar No. 307693)
9 marihenderson@quinnemanuel.com
10 865 S. Figueroa St., 10th Floor
11 Los Angeles, California 90017
12 Telephone: (213) 443-3000
13 Facsimile: (213) 443-3100

11 QUINN EMANUEL URQUHART &
12 SULLIVAN, LLP
13 Asher Griffin (appearance *pro hac vice*)
ashergriffin@quinnemanuel.com
14 300 W. 6th St., Suite 2010
Austin, TX 78701
Telephone: (737) 667-6100

15 || Attorneys for Defendant Tesla, Inc.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

21 OWEN DIAZ,
22 Plaintiff,
23 v.
24 TESLA, INC. d/b/a TESLA MOTORS, INC.,
25 Defendant.

Case No. 3:17-cv-06748-WHO

**DECLARATION OF
DANIEL C. POSNER
IN SUPPORT OF DEFENDANT'S
RESPONSE TO PLAINTIFF'S NOTICE
OF NEW EVIDENCE**

Judge: Hon. William H. Orrick

DECLARATION OF DANIEL C. POSNER

I, Daniel C. Posner, hereby declare:

1. I am an attorney licensed to practice law in the State of California. I am an attorney with the firm of Quinn, Emanuel, Urquhart, & Sullivan, counsel for Defendant Tesla, Inc. ("Tesla") in this matter. I have personal knowledge of the facts set forth in this declaration, and if called as a witness I could and would testify competently thereto.

2. I make this declaration in support of Tesla's Response to Plaintiff's Notice of New Evidence.

9 3. Attached hereto as Exhibit A is a true and correct unredacted copy of a document
10 produced as TSLA(VGN)26869 in the matter of *Vaughn v. Tesla, Inc.*

11 4. Attached hereto as **Exhibit B** is a true and correct unredacted copy of a document
12 produced as TSLA(VGN)27092 in the matter of *Vaughn v. Tesla, Inc.*

13 5. Attached hereto as Exhibit C is a true and correct unredacted copy of a document
14 produced as TSLA(VGN)27095 in the matter of *Vaughn v. Tesla, Inc.*

15 6. Attached hereto as Exhibit D is a true and correct unredacted copy of a document
16 produced as TSLA(VGN)26870 in the matter of *Vaughn v. Tesla, Inc.*

17 7. Attached hereto as Exhibit E is a true and correct unredacted copy of a document
18 produced as TSLA(VGN)27094 in the matter of *Vaughn v. Tesla, Inc.*

20 I declare under penalty of perjury that the foregoing is true and correct. Executed on this
21 15th day of August 2023 in Los Angeles, California.

/s/ Daniel C. Posner
Daniel C. Posner